

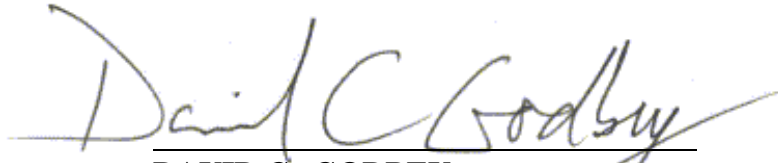
**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

| | | |
|---|---|---------------------------|
| KEVIN LYNN GAMBLE, ID # 590905, |) | |
| Petitioner, |) | |
| vs. |) | No. 3:08-CV-1368-N |
| |) | ECF |
| NATHANIEL QUARTERMAN, Director, |) | |
| Texas Department of Criminal |) | |
| Justice, Correctional Institutions Division, |) | |
| Respondent. |) | |

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the Court finds that Petitioner's objection is not well-taken. Petitioner argues that new evidence not previously before the Court shows that he has administratively exhausted his credit claim. This objection fails to address the Magistrate Judge's conclusion that Petitioner has also failed to exhaust his credit claim through the state habeas process. Therefore, the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

SIGNED October 6, 2008.


DAVID C. GODBEY
UNITED STATES DISTRICT JUDGE